

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

**DECLARATION OF JEFFREY M. GOULD**  
**IN SUPPORT OF PLAINTIFFS' MOTION TO PRECLUDE CERTAIN EXPERT**  
**TESTIMONY BY DR. LYNN WEBER**

I, Jeffrey M. Gould, hereby declare:

1. I am Senior Counsel Oppenheim + Zbrak, LLP, and am admitted to practice law in the District of Columbia, among other jurisdictions. I am counsel for Plaintiffs in the above-captioned case. I have personal knowledge of all facts stated in this declaration, and if called upon as a witness, I could and would competently testify thereto.

2. I submit this declaration in support of Plaintiffs' Motion to Preclude Certain Expert Testimony by Dr. Lynn Weber filed contemporaneously herewith.

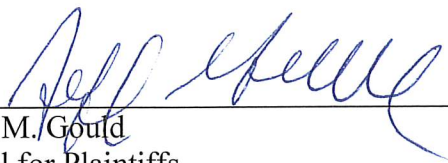
3. Attached hereto are true and correct copies of the following exhibits:

Exhibit	Description
1	Excerpts from the Rebuttal Expert Report of Lynne J. Weber, Ph.D., May 15, 2019.
2	Excerpts from the Deposition Transcript of Lynne J. Weber, Ph.D., June 7, 2019.
3	Order, <i>BMG Rights Mgmt. (US) LLC v. Cox Commc'ns, Inc.</i> , No. 1:14-cv-1611, ECF No. 691 (E.D. Va. Nov. 25, 2015) (granting, <i>inter alia</i> , Plaintiffs' Motion to Exclude Portions of the Expert Report and Limit the Trial Testimony of Cox's Expert William

	Rosenblatt and motion <i>in limine</i> to exclude Cox and its expert from using notice and warning statistics to argue that its graduated response is effective at curbing infringement).
4	Excerpts from Plaintiffs' Memorandum in Support of its Motion to Exclude Portions of the Expert Report and Limit the Trial Testimony of Cox's Expert William Rosenblatt, <i>BMG Rights Mgmt. (US) LLC v. Cox Commc'ns, Inc.</i> , No. 1:14-cv-1611, ECF No. 450 (E.D. Va. Oct. 23, 2015).
5	Excerpts from Cox's Opposition to Plaintiffs' Motion to Exclude Portions of the Expert Report and Limit the Trial Testimony of Cox's Expert William Rosenblatt, <i>BMG Rights Mgmt. (US) LLC v. Cox Commc'ns, Inc.</i> , No. 1:14-cv-1611, ECF No. 597 (E.D. Va. Nov. 10, 2015).
6	Excerpts from Plaintiffs' Reply to Defendant's Opposition to Plaintiffs' Motion to Exclude Portions of the Expert Report and Limit the Trial Testimony of Cox's Expert William Rosenblatt, <i>BMG Rights Mgmt. (US) LLC v. Cox Commc'ns, Inc.</i> , No. 1:14-cv-1611, ECF No. 646 (E.D. Va. Nov. 17, 2015).
7	Excerpts from the Rebuttal Expert Report of Dr. Nick Feamster, Ph.D., May 15, 2019

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 30, 2019 in Washington, District of Columbia.

  
 Jeffrey M. Gould  
 Counsel for Plaintiffs